

# House File 2447 - Introduced

HOUSE FILE 2447

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2198)

## A BILL FOR

1 An Act relating to the registration and regulation of  
2 motorsports recreational vehicles, recreational vehicle  
3 operators, and recreational vehicle cargo, and including  
4 fees and penalties.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, subsection 8, Code 2014, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *i.* A person operating a motorsports  
4 recreational vehicle is not a chauffeur.

5 Sec. 2. Section 321.1, subsection 36C, Code 2014, is amended  
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *e.* "*Motorsports recreational vehicle*" means  
8 a modified motor vehicle used for the purpose of participating  
9 in motorsports competitions and consisting of a conversion unit  
10 mounted on a truck tractor or motor truck chassis such that the  
11 motor vehicle can be used as a conveyance on the highway and as  
12 a temporary or recreational dwelling. The motor vehicle must  
13 have at least four of the permanently installed systems listed  
14 in paragraph "*d*", two of which shall be systems specified in  
15 paragraph "*d*", subparagraph (1), (4), or (5).

16 Sec. 3. Section 321.109, subsection 1, paragraph a, Code  
17 2014, is amended to read as follows:

18 *a.* The annual fee for all motor vehicles including vehicles  
19 designated by manufacturers as station wagons, 1993 and  
20 subsequent model year multipurpose vehicles, and 2010 and  
21 subsequent model year motor trucks with an unladen weight of  
22 ten thousand pounds or less, except motor trucks registered  
23 under section 321.122, business-trade trucks, special trucks,  
24 motor homes, motorsports recreational vehicles, ambulances,  
25 hearses, motorcycles, motorized bicycles, and 1992 and older  
26 model year multipurpose vehicles, shall be equal to one  
27 percent of the value as fixed by the department plus forty  
28 cents for each one hundred pounds or fraction thereof of  
29 weight of vehicle, as fixed by the department. The weight  
30 of a motor vehicle, fixed by the department for registration  
31 purposes, shall include the weight of a battery, heater,  
32 bumpers, spare tire, and wheel. Provided, however, that for  
33 any new vehicle purchased in this state by a nonresident  
34 for removal to the nonresident's state of residence the  
35 purchaser may make application to the county treasurer in

1 the county of purchase for a transit plate for which a fee  
2 of ten dollars shall be paid. And provided, however, that  
3 for any used vehicle held by a registered dealer and not  
4 currently registered in this state, or for any vehicle held  
5 by an individual and currently registered in this state,  
6 when purchased in this state by a nonresident for removal to  
7 the nonresident's state of residence, the purchaser may make  
8 application to the county treasurer in the county of purchase  
9 for a transit plate for which a fee of three dollars shall  
10 be paid. The county treasurer shall issue a nontransferable  
11 certificate of registration for which no refund shall be  
12 allowed; and the transit plates shall be void thirty days  
13 after issuance. Such purchaser may apply for a certificate  
14 of title by surrendering the manufacturer's or importer's  
15 certificate or certificate of title, duly assigned as provided  
16 in this chapter. In this event, the treasurer in the county  
17 of purchase shall, when satisfied with the genuineness and  
18 regularity of the application, and upon payment of a fee of  
19 twenty dollars, issue a certificate of title in the name and  
20 address of the nonresident purchaser delivering the title  
21 to the owner. If there is a security interest noted on the  
22 title, the county treasurer shall mail to the secured party an  
23 acknowledgment of the notation of the security interest. The  
24 county treasurer shall not release a security interest that  
25 has been noted on a title issued to a nonresident purchaser  
26 as provided in this paragraph. The application requirements  
27 of section 321.20 apply to a title issued as provided in this  
28 subsection, except that a natural person who applies for a  
29 certificate of title shall provide either the person's social  
30 security number, passport number, or driver's license number,  
31 whether the license was issued by this state, another state, or  
32 another country. The provisions of this subsection relating to  
33 multipurpose vehicles are effective for all 1993 and subsequent  
34 model years. The annual registration fee for multipurpose  
35 vehicles that are 1992 model years and older shall be in

1 accordance with section 321.124.

2     Sec. 4. Section 321.124, Code 2014, is amended by adding the  
3 following new subsection:

4     NEW SUBSECTION. 4. *a.* The annual registration fee  
5 for a motorsports recreational vehicle is four hundred  
6 dollars. For purposes of determining that portion of the  
7 annual registration fee which is based upon the value of the  
8 motorsports recreational vehicle, sixty percent of the annual  
9 fee is attributable to the value of the vehicle. The owner of  
10 a motor vehicle registered under this subsection shall certify  
11 at the time of registration or renewal of registration that  
12 the motor vehicle is used for the purpose of participating in  
13 motorsports competition.

14     *b.* If the department determines by audit or other means that  
15 a person registered a vehicle as a motorsports recreational  
16 vehicle that is not qualified for such registration, the person  
17 shall be required to pay the difference between the regular  
18 annual registration fees owed for the vehicle for each year the  
19 vehicle was registered in violation of this section and the  
20 fees actually paid.

21     *c.* If the department determines by audit or other  
22 means that the person knowingly registered a vehicle as a  
23 motorsports recreational vehicle that is not qualified for such  
24 registration, the person shall be required to pay a penalty  
25 for improper registration in the amount of seven hundred fifty  
26 dollars for each registration year in which the vehicle was  
27 registered in violation of this section, not to exceed two  
28 thousand two hundred fifty dollars.

29     Sec. 5. Section 321.152, subsection 1, Code 2014, is amended  
30 by adding the following new paragraph:

31     NEW PARAGRAPH. *g.* Twenty-five percent of each penalty  
32 collected for improper motorsports recreational vehicle  
33 registration under section 321.124, subsection 4.

34     Sec. 6. Section 321.176A, Code 2014, is amended by adding  
35 the following new subsection:

1     NEW SUBSECTION. 8. A person operating a motorsports  
2 recreational vehicle for the purpose of participating  
3 in motorsports competitions primarily for relaxation or  
4 entertainment and not for a commercial purpose. For purposes  
5 of this subsection, "*commercial purpose*" does not include  
6 a competition that involves prize money or commercial  
7 sponsorship.

8     Sec. 7. Section 321.284A, subsection 2, Code 2014, is  
9 amended to read as follows:

10     2. This section does not apply to a passenger being  
11 transported in a motor vehicle designed, maintained, or used  
12 primarily for the transportation of persons for compensation,  
13 or a passenger being transported in the living quarters of a  
14 motor home, motorsports recreational vehicle, manufactured or  
15 mobile home, travel trailer, or fifth-wheel travel trailer.

16     Sec. 8. Section 321.310, subsections 1 and 2, Code 2014, are  
17 amended to read as follows:

18     1. A motor vehicle shall not tow a four-wheeled trailer with  
19 a steering axle, or more than one trailer or semitrailer, or  
20 both in combination. However, this section does not apply to  
21 a motor home, motorsports recreational vehicle, multipurpose  
22 vehicle, motor truck, truck tractor or road tractor nor to  
23 a farm tractor towing a four-wheeled trailer, nor to a farm  
24 tractor or motor vehicle towing implements of husbandry, nor to  
25 a wagon box trailer used by a farmer in transporting produce,  
26 farm products, or supplies hauled to and from market.

27     2. Any four-wheeled trailer towed by a truck tractor or road  
28 tractor shall be registered under the semitrailer provisions  
29 of section 321.123~~7~~; provided~~, however,~~ that the provisions  
30 of this ~~section~~ subsection shall not ~~be applicable~~ apply to  
31 motor vehicles drawing wagon box trailers used by a farmer  
32 in transporting produce, farm products, or supplies hauled  
33 to and from market, or to a four-wheeled trailer towed by a  
34 motorsports recreational vehicle.

35     Sec. 9. Section 321.446, subsection 3, paragraph b, Code

1 2014, is amended to read as follows:

2     *b.* The transportation of children in 1965 model year or  
3 older vehicles, authorized emergency vehicles, buses, or motor  
4 homes, or motorsports recreational vehicles except when a child  
5 is transported in a motor home's or motorsports recreational  
6 vehicle's passenger seat situated directly to the driver's  
7 right.

8     Sec. 10. Section 321.450, Code 2014, is amended by adding  
9 the following new subsection:

10     NEW SUBSECTION. 6. Notwithstanding other provisions of  
11 this section, rules adopted under this section applicable to  
12 the transportation of any fuel used in race car engines shall  
13 not apply to the transportation of such fuel if the fuel is  
14 contained in the fuel cells of a race car being transported in  
15 a trailer and the fuel cells are certified by SFI foundation,  
16 inc.

17     Sec. 11. Section 321.454, Code 2014, is amended to read as  
18 follows:

19     **321.454 Width of vehicles.**

20     The total outside width of a vehicle or the load on  
21 the vehicle shall not exceed eight feet six inches. This  
22 limitation on the total outside width of a vehicle or the load  
23 on the vehicle does not include safety equipment on a vehicle  
24 or incidental appurtenances or retracted awnings on motor  
25 homes, motorsports recreational vehicles, travel trailers, or  
26 fifth-wheel travel trailers if the incidental appurtenance or  
27 retracted awning is less than six inches in width. However,  
28 if hay, straw, or stover is moved on an implement of husbandry  
29 and the total width of load of the implement of husbandry  
30 exceeds eight feet six inches, the implement of husbandry is  
31 not subject to the permit requirements of chapter 321E. If  
32 hay, straw, or stover is moved on any other vehicle subject to  
33 registration, the moves are subject to the permit requirements  
34 for transporting loads exceeding eight feet six inches in width  
35 as required under chapter 321E.



1 bill imposes a penalty of \$750 for each year the vehicle was  
2 improperly registered, not to exceed \$2,250. From each penalty  
3 collected by a county treasurer for improper registration of  
4 a motorsports recreational vehicle, the county shall retain  
5 25 percent of the penalty for deposit in the county's general  
6 fund.

7 The bill specifies that a person operating a motorsports  
8 recreational vehicle is not a chauffeur. The bill also  
9 provides an exemption from commercial driver licensing  
10 requirements for a person operating a motorsports recreational  
11 vehicle for the purpose of participating in motorsports  
12 competitions primarily for relaxation or entertainment and  
13 not for a commercial purpose. In this context, "commercial  
14 purpose" does not include a competition that involves prize  
15 money or commercial sponsorship.

16 Current motor vehicle provisions applicable to motor homes  
17 are amended to apply to motorsports recreational vehicles as  
18 well. These provisions include an exception to open-container  
19 restrictions for a passenger being transported in the living  
20 quarters of a motorsports recreational vehicle; child restraint  
21 requirements for a child seated directly to the driver's  
22 right; the exclusion of incidental appurtenances or retracted  
23 awnings from vehicle width limitations; and an exemption from  
24 restrictions on towing a four-wheeled trailer with a steering  
25 axle or more than one trailer or semitrailer. The bill states  
26 that a four-wheeled trailer towed by a motorsports recreational  
27 vehicle is not required to be registered as a semitrailer.

28 The bill limits the length of a motorsports recreational  
29 vehicle, excluding front and rear bumpers and safety equipment,  
30 to not more than 45 feet. To the extent allowed under federal  
31 law, the maximum length for a combination of two vehicles  
32 coupled together, one of which is a motorsports recreational  
33 vehicle, is 85 feet.

34 Under current law, the department of transportation has  
35 adopted rules, in compliance with federal regulations,



1 relating to the transportation of hazardous materials. The  
2 bill provides that rules applicable to the transportation  
3 of any fuel used in race car engines shall not apply to the  
4 transportation of fuel contained in the fuel cells of a race  
5 car being transported in a trailer if the fuel cells are  
6 certified by SFI foundation, inc.